

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION**

**CHEETAH TRANSPORTATION, L.L.C.,** )  
**a North Carolina limited liability company,** )  
**Plaintiff,** )

**v.** )

**Case No. 5:06-CV-135**

**R&R LOGISTICS & TRANSPORTATION,** )  
**INC., an Illinois Corporation; DAN** )  
**ROEBKE, an individual; and SCOTT** )  
**RINGEL, an individual,** )  
**Defendants.** )

---

**FINAL JUDGMENT**

Before the Court is the issuance of Final Judgment against Defendants. On October 16, 2007, Plaintiff filed its Motion for Sanctions (Renewed) of Default Judgment against Defendants and Plaintiff's Memorandum in Support of Motion. On December 6, 2007, United States Magistrate Judge David C. Keesler issued a Memorandum and Recommendation recommending that the Court grant Plaintiff's motion for default judgment against each of the defendants. Thereafter, on January 7, 2007, Plaintiff submitted affidavits and information in support of the amount sought in default.

On April 22, 2008, this Court conducted a hearing and after careful review and hearing no objection from the defendants, adopted the factual findings and conclusions of law within the magistrate judge's Memorandum and Recommendation dated December 7, 2007. This Court's oral order of April 22, 2008, entered default judgment against each of the defendants pursuant to Rule 37 of the Federal Rules of Civil Procedure, and awarded damages consistent with Plaintiff's submissions filed on January 7, 2007.

Plaintiff was ordered during the hearing to obtain and file an affidavit from an independent third party addressing the reasonableness of the attorneys' fees being requested. The affidavit was filed by Plaintiff on May 13, 2008, and the Court has reviewed the affidavit and finds that the award of attorneys' fees requested by Plaintiff is reasonable.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that Plaintiff recover from each of the defendants jointly and severally the sum of \$1,875,463.00, costs and a reasonable attorneys' fee in the sum of \$63,506.87, for a total of \$1,938,970 together with interest as allowed by law, for all of which let execution issue.

Signed: May 30, 2008

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees  
United States District Judge

